

## Message Text

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PAGE 01 STATE 238974

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ORIGIN L-02

INFO OCT-01 EUR-08 EA-06 ISO-00 AID-05 DODE-00 PM-03 H-01

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FM SECSTATE WASHDC

TO AMEMBASSY VIENTIANE PRIORITY

INFO AMEMBASSY MOSCOW PRIORITY

USLO PEKING PRIORITY

C O N F I D E N T I A L STATE 238974

E.O. 11652: GDS

-

TAGS: EAID, LA

SUBJECT:COMMUNIST AID TO LAOS: U.S. FACILITATIVE

JOINT STATE-AID MESSAGE

REF: A. VIENTIANE 7928; B. STATE 230114; C. VIENTIANE 7775

1. STATE/AID/DOD ARE PREPARED TO MOVE FORWARD EXPEDIENTIOUSLY TO SEEK NECESSARY APPROVALS FOR PROPOSALS REF C SUBJECT TO FOLLOWING:

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PAGE 02 STATE 238974

A. AID. AID/W WILL HAVE TO FOLLOW PROCEDURES IN M.O. 1018.9 TO SEEK APPROVAL OF AID ADMINISTRATOR BASED ON EMBASSY'S RECOMMENDATIONS AND ARGUMENTS REF C AND ADDITIONAL INFORMATION REQUESTED BELOW. SEE GROUNDS FOR APPROVAL SET FORTH IN PARA III OF M.O. 1018.9. THIS PROCEDURE NECESSARY UNDER SECTION 620(H) OF FOREIGN ASSISTANCE ACT WHICH PROVIDES THAT "THE PRESIDENT SHALL ADOPT REGULATIONS AND PROCEDURES TO INSURE THAT UNITED STATES FOREIGN AID IS NOT USED IN A MANNER WHICH, CONTRARY TO THE BEST INTERESTS OF THE UNITED STATES, PROMOTES OR ASSISTS THE FOREIGN AID PROJECTS OR ACTIVITIES OF THE COMMUNIST-BLOC COUNTRIES." AID/W WOULD APPRECIATE

MISSION'S COMMENTS WHETHER AID FURNISHED ASSISTANCE CAN BE FUNDED UNDER EXISTING PROJECTS (E.G. RURAL ECONOMY) OR WOULD IT CONSTITUTE NEW PROJECT REQUIRING NOTIFICATION TO CONGRESS UNDER SECTION 114 OF APPROPS. ACT.

B. MAP/MASF

(1) REGARDING ANY MAP ITEMS WHICH HAVE NOT RPT NOT ALREADY BEEN TRANSFERRED TO LAO FORCES, IT WILL NOT RPT NOT BE POSSIBLE TO USE SUCH ITEMS FOR CIVILIAN PURPOSES DESCRIBED REF A SINCE PERTINENT LEGISLATION (PART II OF FOREIGN ASSISTANCE ACT) REQUIRES THAT MILITARY ASSISTANCE ITEMS BE FURNISHED ONLY FOR MILITARY PURPOSES. ONLY WAY SUCH ITEMS COULD BE FURNISHED TO LAO CIVILIAN AGENCY FOR CIVILIAN USE WOULD BE TO HAVE SUCH ITEMS DECLARED EXCESS TO DOD NEEDS OR PURCHASED FROM DOD WITH AID FUNDS AND THEN MADE AVAILABLE TO AID. THIS LIKELY TO BE TIME CONSUMING AND MAY OR MAY NOT BE POSSIBLE WITHIN FUNDING LIMITATION AND WITH REGARD TO SPECIFIC ITEMS.

(2) WITH REGARD TO MAP FINANCED ITEMS WHICH HAVE ALREADY BEEN TRANSFERRED TO FAR, SECTION 505(A)(1) AND (4) OF FOREIGN ASSISTANCE ACT REQUIRES THAT SUCH ITEMS NOT BE USED BY RECIPIENT FOR PURPOSES OTHER THAN THOSE FOR WHICH FURNISHED "UNLESS THE PRESIDENT CONSENTS TO OTHER DISPOSITION." AUTHORITY TO SO CONSENT HAS BEEN DELEGATED TO SECDEF. SIMILAR REQUIREMENT EXISTS UNDER SECTION 401(A)(2) OF P.L. 89-367 AS AMENDED WITH  
CONFIDENTIAL

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PAGE 03 STATE 238974

RESPECT TO ANY MASF FINANCED ITEMS, WITH ADDITIONAL REQUIREMENT THAT NO SUCH DISPOSITION BE MADE UNTIL 15 DAYS AFTER NOTIFICATION TO CONGRESS. ASSUMING NECESSARY ITEMS HAVE BEEN TURNED OVER TO FAR, STATE/DOD BELIEVE THIS WOULD BE THE MOST EXPEDITIOUS PROCEDURE TO EMPLOY IN THIS CASE WHICH, AS WE UNDERSTAND IT, WOULD INVOLVE A ONE-TIME AUTHORIZATION FOR A RELATIVELY SMALL NUMBER OF SPECIFIC ITEMS. AS REGARDS PARA 8C OF REF C, NO

FURTHER TRANSFER OF ITEMS WOULD BE AUTHORIZED WITHOUT SPECIFIC WASHINGTON CONSENT.

2. REASON FOR QUESTIONS POSED REF B CONCERNING ORIGIN, PRESENT STATUS AND CONTEMPLATED USE OF ITEMS WHICH MAY BE REQUESTED WAS TO DETERMINE WHICH STATUTES/REGULATIONS WOULD BE APPLICABLE AND WHAT PROCEDURES WOULD NEED TO BE FOLLOWED. GIVEN DESIRE TO MOVE AHEAD HERE WITH NECESSARY DRAFT PAPERWORK TO PROCEED TO A/AID AND TO SECDEF, PER PARA 1 ABOVE, WOULD GREATLY APPRECIATE U.S. MISSION GIVING US AS MUCH ADVANCE TIME AND AS SPECIFIC INFORMATION AS POSSIBLE NOW SHOULD REQUEST ACTUALLY MATERIALIZE SO THAT WE CAN PROCEED WITH NECESSARY APPROVALS AS QUICKLY AS POSSIBLE. REGRET THE NEED TO DELAY PROCESSING DOCUMENTATION FOR APPROVAL UNTIL FACTS REQUESTED HEREIN HAVE BEEN PROVIDED, BUT REQUISITE DETERMINATIONS HINGE ON SUCH FACTS.

3. IN CONNECTION WITH DETERMINATION UNDER SECTION 620(H) OF FAA THAT ITEMS FURNISHED WILL BE IN FURTHERANCE OF, RATHER THAN CONTRARY TO THE BEST INTERESTS OF THE U.S., WOULD ALSO APPRECIATE ANY ADDITIONAL FACTS AVAILABLE RE PROPOSED ASSISTANCE, INCLUDING SPECIFIC INFO ON NATURE OF COMMUNIST-PROVIDED COMMODITIES, RECIPIENTS AND PURPOSES, INCLUDING HUMANITARIAN AND OTHER. IF POSSIBLE, PLEASE ELABORATE ON TYPE AND EXTENT OF ADVICE AND TECHNICAL ASSISTANCE MISSION ENVISAGES PER PARA 8 (A) AND (E).

4. WE TAKE EMBASSY'S RECOMMENDATIONS REF C AS EMBASSY'S ASSESSMENT THAT PROVISION OF ASSISTANCE IN RESPONSE TO A FORMAL REQUEST OF PGNU WOULD BE IN BEST INTEREST OF U.S. AS REQUIRED BY SECTION 620(H) OF FAA. INGERSOLL  
CONFIDENTIAL

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PAGE 04 STATE 238974

CONFIDENTIAL

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## Message Attributes

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**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** ECONOMIC ASSISTANCE, COMMUNISTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 31 OCT 1974  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** boyleja  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
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**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** EGVERVILLE/AID/GC:HMORRIS:JY  
**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Previous Handling Restrictions:** n/a  
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**Review Action:** RELEASED, APPROVED  
**Review Authority:** boyleja  
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**Review Transfer Date:**  
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**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** COMMUNIST AID TO LAOS: U.S. FACILITATIVE JOINT STATE-AID MESSAGE  
**TAGS:** EAID, LA, US  
**To:** VIENTIANE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005